

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
PHILADELPHIA DIVISION

In re: MATTHEW JOHNSON, JR.	)	
LAKEISHA S. RIVERS	)	
<b><u>Debtors</u></b>	)	CHAPTER 13
	)	
SANTANDER CONSUMER USA INC.	)	Case No.: 20-11941 (MDC)
dba CHRYSLER CAPITAL AS SERVICER	)	
FOR CCAP AUTO LEASE LTD.	)	
<b><u>Moving Party</u></b>	)	Hearing Date: 10-6-20 at 10:30 AM
	)	
v.	)	11 U.S.C. 362
	)	
MATTHEW JOHNSON, JR.	)	
LAKEISHA S. RIVERS	)	
<b><u>Respondents</u></b>	)	
	)	
WILLIAM C. MILLER	)	
<b><u>Trustee</u></b>	)	
	)	

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

**TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:**

Comes now Santander Consumer USA Inc. dba Chrysler Capital as servicer for CCAP Auto Lease Ltd. (“Chrysler Capital”) filing this its Motion For Relief From The Automatic Stay (“Motion”), and in support thereof, would respectfully show:

1. On April 8, 2020, Matthew Johnson, Jr. and Lakeisha S. Rivers filed a voluntary petition under Chapter 13 of the Bankruptcy Code.
2. This Court has jurisdiction of the Motion by virtue of 11 U.S.C. 105, 361 and 362 and 28 U.S.C. 157 and 1334.
3. On April 12, 2021, the Debtor(s) executed a Motor Vehicle Lease Agreement for the lease of a 2017 Dodge Durango bearing vehicle identification number 1C4RDJAG7HC679286. The lease was assigned to CCAP Auto Lease Ltd. and the Debtors became indebted to CCAP in accordance with the terms of same. CCAP Auto Lease Ltd. is the owner of the vehicle. True copies of the lease agreement and title to the vehicle are annexed hereto as exhibits A and B.

Santander Consumer USA Inc, doing business as Chrysler Capital acts as servicer for CCAP Auto Lease Ltd.

4. The Lease matured on July 20, 2020.

5. The Debtors surrendered the vehicle to the dealership.

6. Santander Consumer USA Inc. dba Chrysler Capital as servicer for CCAP Auto Lease Ltd. alleges that the automatic stay should be lifted for cause under 11 U.S.C. 362(d)(1) in that Chrysler Capital lacks adequate protection of its interest in the vehicle as evidenced by the following:

(a) Chrysler Capital has possession of the vehicle and requires stay relief in order to process and sell it.

(b) The Lease matured.

WHEREFORE PREMISES CONSIDERED, Santander Consumer USA Inc. dba Chrysler Capital as servicer for CCAP Auto Lease Ltd. respectfully requests that upon final hearing of this Motion, (1) the automatic stay will be terminated as to Chrysler Capital to permit Chrysler Capital to seek its statutory and other available remedies; (2) that the stay terminate upon entry of this Order pursuant to the authority granted by Fed.R.Bank.P., Rule 4001(a)(3) and (3) Chrysler Capital be granted such other and further relief as is just.

Respectfully submitted,

/s/ William E. Craig

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dba Chrysler Capital as servicer for CCAP Auto Lease Ltd.